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**TRANSMITTAL  
FORM**

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Total Number of Pages in This Submission

Application Number	10758,831
Filing Date	January 15, 2004
First Named Inventor	Roelof VAN GINKEL et al.
Art Unit	1621
Examiner Name	Lansana NYALLEY
Attorney Docket Number	8500-0276.11

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request (3 mos)	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below): Return postcard.
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<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
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Remarks

The Commissioner hereby is authorized to charge any fee(s) that may be required for filing the enclosed Response to Deposit Account No. 18-0580.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Reed Intellectual Property Law Firm		
Signature			
Printed name	Carol A. Schneider, Ph.D., J.D.		
Date	September 29, 2005	Reg. No.	34,923

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Will Sayo	Date	September 29, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Application of:  
Roelof VAN GINKEL et al.

Confirmation No.: 7137

Serial No.: 10/758,831

Group Art Unit: 1621

Filing Date: January 15, 2004

Examiner: Lansana NYALLEY

Title: PREPARATION OF PHOSPHORUS-CONTAINING COMPOUNDS USEFUL IN THE  
PREPARATION OF BIPHOSPHINE LIGANDS

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This document is being filed in response to the Notice of Non-Compliant Amendment mailed by the PTO on September 20, 2005 to correct a typographical error inadvertently made in the Listing of the Claims submitted with the Amendment Under 37 CFR § 1.111 filed on August 2, 2005. Applicant respectfully requests that the Examiner enter the attached new Listing of the Claims and consider the following remarks.

As indicated in the Notice of Non-Compliant Amendment, claim 19 was inadvertently included with an "original" claim status identifier in the Listing of the Claims section of the Amendment filed on August 2, 2005, in addition to being among the canceled claims therein, i.e., claims 19-29.

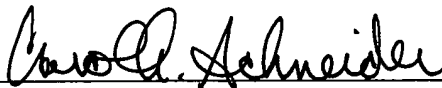
Please note that the subject application was originally filed with claims 1-29. As stated on page 1 and under the Remarks section of the previously filed Amendment, applicant canceled restricted-out claims 19-29, making no other amendments to the claims, and leaving claims 1-18 as currently pending. Accordingly, applicant submits herewith a new Listing of the Claims identifying the correct status of each of claims 1-29, i.e., "original" claims 1-18 and "canceled" claims 19-29, the listing of which is attached hereto as Appendix A. As the correction being made was merely typographical in nature, no new matter was added.

As all outstanding issues have now been addressed with the filing of this response, applicant believes the application to be in condition for allowance, and, as such, applicants would very much appreciate prompt notification to that effect.

Should the Examiner have any questions concerning this communication, he is welcome to contact the undersigned attorney at (650) 251-7700.

Applicant believes that no fee is required for filing of this response. If for any reason it is found that any fee or fees are required for filing this

Respectfully submitted,

By:   
Carol A. Schneider, Ph.D., J.D.  
Registration No. 34,923

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Application Serial No. 10/758,831  
Response dated September 29, 2005  
Reply to Notice of Non-Compliance of September 20, 2005

Atty Dkt No. 8500-0276.11  
SRI No. S-TS0561-2



## **APPENDIX A**

### **LISTING OF THE CLAIMS**